



PATENT

IN THE UNITED STATES PATENT OFFICE

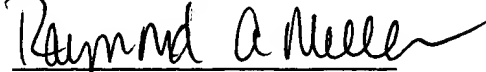
In re Application of: :
Barbera-Guillem :
Application No.: : Group Art Unit: 1711
09/783,469 : Examiner: Acquah
Filing Date: February 12, 2001 :
Title: FUNCTIONALIZED ENCAPSULATED FLUORESCENT NANOCRYSTALS

STATEMENT PURSUANT TO 37 C.F.R. 1.8(b)(3)

This Statement is made pursuant to 37 C.F.R. 1.8(b)(3) and the purpose is to notify the United States Patent Office of the timely filing of the Issue Fee ("Issue Fee") on May 18, 2004, by depositing the Issue Fee with the U.S. Post Office, via first class mail, with sufficient postage, addressed to the Box Issue Fee, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313. On May 21, 2004, Applicant was informed that the Issue Fee was returned by the U.S. Post Office without delivery to the USPTO. Applicant further submits a statement which attests to the deposit of the Issue Fee with the U.S. Post Office on May 18, 2004, together with the previously mailed Issue Fee Transmittal. Applicant respectfully requests that the Issue Fee be considered timely filed as of May 18, 2004.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 50-0436.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Raymond A. Miller", with a long, sweeping horizontal stroke at the end.

Raymond A. Miller

Registration No. 42,891

Date: 21 May 2004
Pepper Hamilton LLP
One Mellon Center
500 Grant Street
50th Floor
Pittsburgh, PA 15219
(412) 454-5000
(412) 281-0717 (facsimile)